

REMARKS

Claim 19 has been amended. Figure 2 has been added. Amendments to the Specification have been made to include appropriate reference to Figure 2. No new matter has been added.

Claims 19 to 37 are now pending. Applicant(s) respectfully request reconsideration of the present application in view of this response.

Objection to the Drawings

Applicant(s) respectfully submit a NEW SHEET of Figure 2 which describes an example system and method according to the present invention, as requested by the Examiner. No new matter has been added. Withdrawal of the objection in the final Office Action to the Drawings is respectfully requested.

Rejection of Claims 19 to 29, and 33 to 35

In the Office Action, claims 19 to 29, and 33 to 35 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,847,632 to Lee et al. ("Lee reference") in view of U.S. Patent Publication No. 2003/119527 to Labun et al. ("Labun reference").

The Lee reference refers to establishing a normal cellular/PCS data call from a user's digital cellular handset to an Internet Service Provider (ISP) connected to the Internet. According to the reference, from the ISP, the data from the digital cellular handset is then transferred over the Internet in packet form to a far end device. The Labun reference refers to a mobile station engaging in a WAP browsing session with a cellular network connection over an air interface such that as a user moves into coverage area of an access point, another browsing session is established between the mobile station and a non-cellular network connection.

In contrast, claim 19 of the present application is directed to a method and system for providing a communication path to a mobile telephony network so that a telecommunication connection is set up between a telecommunication terminal designed to be used in a mobile telephony network and a distant terminal, and *requires using* at least one of a radio communication (radio path) and an Internet connection as a connecting path between the telecommunication terminal and access and switching units of the mobile telephony network, where such connection is either automatically initiated or initiated by the user, and treats the Internet connecting path like a radio cell with respect sequences and handovers. While the Lee and Labun references appear to concern telecommunication connections, they (in combination or separately) do not appear to describe or teach all of these limitations of the present claim 19. While the Labun reference refers to handovers, it does not refer to the situation in the present invention where regardless of whether one or more of a radio path and internet connecting path are used, the connecting path is treated like a radio cell with respect

to sequences and handovers. Likewise, the Lee reference also does not appear to describe this feature. Accordingly, claim 19 is believed allowable over the references.

Claims 28 and 33 includes features similar to those of claim 19 and are allowable over the cited references for essentially the same reasons. Claims 20 to 27, 29, 34, and 35, depend from one of claims 19, 28 and 33 and are allowable for at least the same reasons.

Rejection of Claims 30, 32, 36

Claims 30, 32, and 36 were rejected under 35 USC § 103(a) as being unpatentable over the Lee reference in view of U.S. Patent No. 6,009,151 to Staples (“Staples reference”), U.S. Patent No. 5,628,055 to Stein (“Stein reference”), and the Labun reference.

As discussed above, the Lee reference refers to establishing a normal cellular/PCS data call from a user's digital cellular handset to an Internet Service Provider (ISP) connected to the Internet. The Labun reference refers to splitting control and media content signals of a cellular network connection of a mobile station. The Staples reference refers to a PC Card adapted for insertion in a PC Card slot in a computer system. The Stein reference refers to a modular telecommunications unit having a housing for mounting a radio transceiver therein, the housing including a plurality of contacts arranged along a first end, the contacts being adapted for engagement with contacts in the electronic equipment, and at least one radio connector disposed along the second, opposite end of the housing and connected to the radio transceiver within the housing whereby the radio transceiver can be coupled to an antenna to enable communication therefrom.

In contrast, claim 19 requires the features of: by one of automatically initiating and initiated by a user of the telecommunication terminal the access and switching units and the telecommunication terminal treating the Internet connecting path like another radio cell of the mobile telephony network with respect to sequences that are connected to an activation of the telecommunication terminal and its respective one of check-in and booking into the mobile telephony network and also as they relate to the switchover of the connecting path between radio path and Internet path or vice versa implemented in a changeover or a handover. As discussed above, it is not believed that the Lee and Labun references disclose each of these features as claimed. The Staples and Stein references do not cure the deficiencies of the Lee and Labun reference since they refer to just the use of a PC card and a specific housing for a transceiver. For example, while claim 30 refers to use of a chip reader, the use of the PC card in the further cited reference does not do so within the claimed system of claim 19 or 30. Accordingly, withdrawal of the rejection of claims 30, 32, and 36 is respectfully requested.

Rejection of Claims 31 and 37

In the Office Action, claims 31 and 37 were rejected under 35 USC § 103(a) as being unpatentable over the Lee reference in view of “well-known” prior art. Claims 31 and 37

depend from claim 28. Claim 28 recites features analogous to those of claim 19. As stated above, the Lee reference does not render unpatentable claim 19, and thus, does not render unpatentable claim 28. Accordingly, it is respectfully submitted that claims 31 and 37 are allowable over the cited Lee reference in view of “well-known” prior art.

Further, Applicant notes that at the time of the invention, it was not “well-known” to incorporate DSL-enabled features in such systems as provided in the claims.

Withdrawal of the rejection of claims 31 and 37 is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that claims 19 to 37 are allowable and that the Drawings and Specification are in condition for allowance. It is therefore respectfully requested that any outstanding objections and/or rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

Dated: March 15, 2010

By: /Linda Lecomte/
Linda Shudy Lecomte (Reg. No. 47,084)

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200

CUSTOMER NO. 26646